

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

HECTOR GARCIA, JR.,
as Personal Representative to
the Estate of Hector Garcia,

Plaintiff,

V.

CORIZON HEALTH, INC.,
WARDEN VINCE POKLUDA,
VERONICA SALAZAR,
CHRISTI BENNETT,
MELISSA GARCIA,
GLADYS HERNANDEZ,
HEATHER BARELA,
EDUARDO BERUMEN,

Defendants.

[illegible]

Cause No. 2:21-cv-00485-DHU/GJF

**MOTION OF SCOTT HULSE PC, HENRY J. PAOLI, AND CASEY S. STEVENSON
TO WITHDRAW AS COUNSEL FOR DEFENDANTS
CORIZON HEALTH, INC., VERONICA SALAZAR, CHRISTI BENNETT, MELISSA
GARCIA, GLADYS HERNANDEZ, HEATHER BARELA, AND EDUARDO BERUMEN**

Scott Hulse, PC, Henry J. Paoli, and Casey S. Stevenson file this motion to withdraw as counsel and would show the Court as follows:

1. **Scott Hulse, PC, Henry J. Paoli, and Casey S. Stevenson** represent the following defendants in this case: Corizon Health, Inc., Veronica Salazar, Christi Bennett, Melissa Garcia, Gladys Hernandez, Heather Barela, and Eduardo Berumen. There is an irreconcilable conflict between counsel for these defendants and these named defendants regarding obligations owed by

the defendant Corizon Health, Inc. to counsel under the attorney-client agreement. The conflict will not allow these attorneys to continue to represent these parties in this case.

2. After conferring with defendants, it is apparent that defendant Corizon Health, Inc. will not consent to the withdrawal. Pursuant to Local Court Rule 83.8, the undersigned attorney certifies that a copy of this motion is being served on defendant Corizon Health, Inc. on the same date that it is being filed with the Court.

3. The following defendants are or were employees of defendant Corizon Health, Inc.; and they are being defended by the undersigned counsel of record identified in this motion by and through defendant Corizon Health, Inc.. Because defendant Corizon Health, Inc. is providing a defense to these individuals, they too do not consent to the withdrawal:

Veronica Salazar

Melissa Garcia

Christi Bennett

Gladys Hernandez

Heather Barela

Eduardo Berumen

The undersigned attorney certifies that a copy of this motion is being served to these defendants on the same date that it is being filed with the Court.

3. Pursuant to Local Rule 83.8, this motion provides notice to Corizon Health, Inc. that it may only appear in this case through an attorney and that, absent entry of appearance by a

new attorney, any filings made by Corizon Health, Inc. may be stricken and a default judgment or other sanctions may be imposed. D.N.M. LOC. CT. R. 83.8(c).

4. Additionally, **THIS MOTION PROVIDES NOTICE TO ALL DEFENDANTS THAT OBJECTIONS MUST BE SERVED AND FILED WITHIN FOURTEEN (14) DAYS FROM DATE OF SERVICE OF THE MOTION AND THAT FAILURE TO OBJECT WITHIN THIS TIME CONSTITUTES CONSENT TO GRANT THE MOTION.**

For these reasons, **Scott Hulse, PC, Henry J. Paoli, and Casey S. Stevenson** request that this motion be granted, and that they be permitted to withdraw as counsel for these defendants.

Respectfully submitted,

SCOTT HULSE, P.C.

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By: /s/Henry J. Paoli

HENRY J. PAOLI

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CASEY S. STEVENSON

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Attorneys for Defendants Corizon Health, Inc.,
Veronica Salazar, Christi Bennett, Melissa Garcia,
Gladys Hernandez, Heather Barela, and Eduardo
Berumen

CERTIFICATE OF CONFERENCE

The undersigned counsel conferred with counsel for the plaintiff, Matthew Coyte, on February 9, 2023, and confirmed that plaintiff is not opposed to this motion.

/s/Henry J. Paoli

HENRY J. PAOLI

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, a true and correct copy of this document was filed electronically through the e-filing system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing, and a copy of this document was served via certified mail, return receipt requested on the following attorneys:

Matthew C. Coyte
3800 Osuna Road NE, Ste. 2
Albuquerque, NM 87109
mcoyte@me.com
Attorneys for plaintiff

and that a true and correct copy of this document was served on each of the individual defendants below by certified mail, return receipt requested:

Corizon Health, Inc.
c/o Britt Herron & Steve Brown
205 Powell Place
Brentwood, TN 37027

Veronica Salazar
4064 Gila Trail
Las Cruces, NM 88005

Melissa Garcia
1436 Calle Morelia
Rio Rico, AZ 85648

Christi Bennett
Doña Ana County Detention Center
1850 Copper Loop
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/s/Henry J. Paoli

HENRY J. PAOLI